



MIKE PENCE, *Governor*  
JAMAL L. SMITH, *Executive Director*

ICRC No. HOha13011660  
[REDACTED]

JAMAL L. SMITH, in his official capacity as  
EXECUTIVE DIRECTOR of the  
INDIANA CIVIL RIGHTS COMMISSION,  
Complainant,

v.

Quicken Loans,  
Respondent.

NOTICE OF FINDING and  
ISSUANCE OF CHARGE

The Executive Director of the Indiana Civil Rights Commission ("Commission"), pursuant to statutory authority and procedural regulations, hereby issues the following findings with respect to the above-referenced case. Reasonable cause exists to believe that an unlawful discriminatory practice has occurred. A Charge is therefore issued in accordance with 910 IAC 2-6-6(b).

On January 14, 2013, [REDACTED] ("Complainant") filed a Complaint with the Commission against Quicken Loans ("Respondent") alleging discrimination on the basis of disability, in violation of the Indiana Fair Housing Act (Ind. Code § 22-9.5, *et. seq.*), the Indiana Civil Rights Law (Ind. Code § 22-9, *et. seq.*), and [REDACTED]. Accordingly, the Commission has jurisdiction over the parties and the subject matter of this Complaint.

An investigation has been completed. Both parties have had an opportunity to submit evidence. Based on the final investigative report and a review of the relevant files and records, the Executive Director now finds the following:

The issue before the Commission is whether Respondent discriminated against Complainant during her pursuit of a refinance loan. In order to prevail, she must prove that 1) she falls within a class of person protected by the law; 2) Complainant applied for a loan secured by residential real estate; 3) Complainant was qualified to obtain a loan consistent with Respondent's terms and conditions; and 4) Respondent proposed terms and conditions to Complainant which the Complainant was required to accept before the completion of the loan process and the loan transaction; and 5) Respondent did not subject similarly-situated non-disabled persons to the same requirements.



Complainant, a disabled veteran, is afforded protection by virtue of her disability. Moreover, the evidence shows that Complainant receives Social Security and VA disability income in an amount sufficient to qualify for the loan in question. During the application process, Respondent asked Complainant to provide proof of the continuation of disability benefits for the next three years; however, there is no evidence to show that Respondent requested non-disabled consumers to provide documentation verifying the permanency of their income for the next three years. As a result of the request, Complainant did not continue the refinance process with Respondent. Thus, reasonable cause exists to believe that Respondent's actions violated the Fair Housing Laws as alleged. As permitted by 910 IAC 2-6-6(h), any party to this Complaint may elect to have the claims asserted in this Charge decided in a state court, in lieu of an administrative proceeding under 910 IAC 2-7. Such an election must be made no later than twenty (20) days after service of this Notice. The notice of election must be filed with the Commission and served on the Director, Respondent, and Complainant.

If such an election is not timely made, an administrative hearing of this matter will be scheduled by the Administrative Law Judge. Respondent shall have an opportunity to file an answer to this charge within thirty (30) days of service of this Charge. [REDACTED] *and any other person aggrieved by this alleged discriminatory practice may participate as a party in the hearing by filing a request for intervention.* All discovery in this matter must be completed fifteen (15) days prior to the date of hearing.

*If at any time following service of this charge Respondent intends to enter into a contract, sale, encumbrance, or lease with any person regarding the property that is the subject of this charge, Respondent must provide a copy of this charge to the person prior to entering into such contract, sale, encumbrance or lease. 910 IAC 2-7-4(e)(3).*

April 9, 2013

Date

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Jamal L. Smith  
Executive Director  
Indiana Civil Rights Commission